SOUTHERN DISTRICT OF NEW YORK		
	X :	
JUAN "TONY" MOLINA,	:	
Plaintiff,	: :	23-CV-1537 (JMF)
-V-	: :	<u>ORDER</u>
PALISADES FEDERAL CREDIT UNION,	:	
Defendant.	: :	
	: X	

JESSE M. FURMAN, United States District Judge:

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On February 23, 2023, this case was transferred to this Court from the District of New Jersey. Prior to the transfer, Defendant had filed a motion to dismiss the complaint under Rule 12(b) of the Federal Rules of Civil Procedure, ECF No. 6. Under Rule 15(a)(1)(B), a plaintiff has twenty-one (21) days after the service of a motion under Rule 12(b) to amend the complaint once as a matter of course. Although Plaintiff did not amend within that time while the case was pending in New Jersey, the Court grants leave for Plaintiff to amend now.

Plaintiff shall file any amended complaint by **March 17, 2023**. Pursuant to Paragraph 1.B. of the Court's Individual Rules and Practices in Civil Cases, available at <a href="https://nysd.uscourts.gov/hon-jesse-m-furman">https://nysd.uscourts.gov/hon-jesse-m-furman</a>, any amended complaint should be filed with a redline showing all differences between the original and revised filing. Plaintiff will not be given any further opportunity to amend the complaint to address issues raised by the motion to dismiss.

If Plaintiff does amend, by three (3) weeks after the amended complaint is filed, Defendant shall: (1) file an answer; (2) file a new motion to dismiss; or (3) file a letter on ECF stating that it relies on the previously filed motion to dismiss. If Defendant files an answer or a new motion to dismiss, the Court will deny the previously filed motion to dismiss as moot. If Defendant files a new motion to dismiss, any opposition shall be filed within fourteen days, and any reply shall be filed within seven days of any opposition.

If no amended complaint is filed by March 17, 2023, Defendant shall renew its motion to dismiss by **March 31, 2023.** Any opposition shall be filed within fourteen days, and any reply shall be filed within seven days of any opposition.

SO ORDERED.

Dated: February 24, 2023

New York, New York

ESSE M. FURMAN United States District Judge